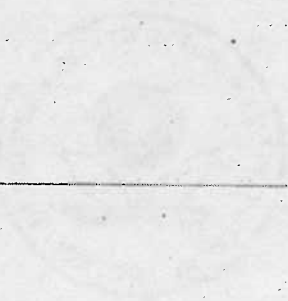
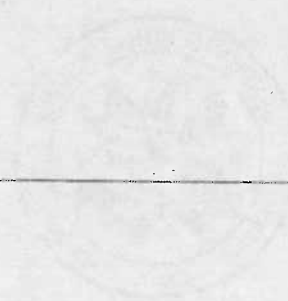




INDIAN NATION ACTION ITEM REPORT

**Indian Nation Leaders Meeting
Seneca Nation of Indians
Allegany Territory
July 19 - 21, 2011**



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Date: 11/19/2009

Indian Nation: Cayuga Nation, HETF, Oneida Indian Nation, Onondaga Nation, St. Regis Mohawk Tribe, Seneca Nation of Indians, Tonawanda Seneca Nation, Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Have the next annual INLM in July 2010. Schedule the meeting so that it does not conflict with other meetings around the same time (e.g., NCAI, Tuscarora Nation annual Picnic, etc.).

Status Update: With input from all Indian Nations, the 15th annual Indian Nation Leaders Meeting is scheduled for the week of July 20 - 22, 2010.

Action Item ID: 421
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Grant Jonathan

Indian Nation: Seneca Nation of Indians
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to meet with the Seneca Nation of Indians Council to discuss action items and program matters. (USTs, UST training, permitting matters, etc).

Status Update: Tony Memmo has requested that the Seneca Nation of Indians individual session at the annual meeting in July 2011 would be the best time to discuss environmental program matters. The Seneca Nation of Indians individual consultation session will occur at the Indian Nation Leaders Meeting (INLM) on Wednesday July 20 at 1:30 pm

Action Item ID: 422
Status: Completed
Date: 7/21/2010

Divisions: ERRD-NYRB
Assigned To: Anne Kelly, Joel Singerman

Indian Nation: St. Regis Mohawk Tribe
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will look into a clean site designation or partial deletion of portions of the GM site, and set up a meeting/conference call to determine areas and any data gaps and work on community outreach. Craig Arquette is the SRMT contact.

Status Update: Although R2 is not considering a partial deletion for this site, R2 has been in discussions with the Tribe on redevelopment and met with Chief Jacobs as well as Lindsay Tarbell and other Tribal and local representatives on December 2, 2010. We are in a continuing dialogue and meet with the Tribe and Town on a monthly basis through the local redevelopment task force to discuss.

Action Item ID: 423
Status: Completed
Date: 7/21/2010

Divisions: ERRD-NYRB
Assigned To: Doug Garbarini

Indian Nation: St. Regis Mohawk Tribe
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will set up a meeting with SRMT and the other NRD trustees and the R2 technical Fluvial Geomorphologist to continue discussion on issues raised by trustees.

Status Update: The fluvial geomorphologist (FG) was hired and been provided with Grasse River site related documents along with the NRD Trustees list of questions dated May 4, 2009. On August 18, 2010, the NRD Trustees were invited to attend the September 15, 2010 Grasse River Site Technical Team meeting to discuss the responses from the FG. FG's review was completed and a letter of responses to Trustees questions was forwarded to the Trustee lead, Barbara Tarbell of SRMT on August 31, 2010. Barbara was requested to forward the response letter and invite other Trustees as appropriate. On the September 15, 2010, Trustee participated in the meeting with the FG and have not raised any further issues.

Action Item ID: 424
Status: Completed
Date: 7/21/2010

Divisions: ERRD-NYRB
Assigned To: Doug Garbarini

Indian Nation: St. Regis Mohawk Tribe
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will follow up with integrated comprehensive monitoring plan discussions with SRMT and other NRD trustees for the entire area. Barbara Tarbell is the SRMT contact.

Status Update: On July 29, 2010, Barbara Tarbell of SRMT along with the remaining NRD trustees were contacted regarding comprehensive monitoring plan and EPA's understanding of where the task stood. Based on the notes taken from the March 4, 2009 meeting with the NRD Trustees and the EPA Remedial Project Manager (RPMs) for the Massena sites, EPA were waiting on the Trustees to provide a sort of a "wish list" of what the Trustees would like to see monitored as part of post remedial monitoring program by all three sites. After which we would then conference in Aug 09 to discuss, which was pushed to September and ultimately a meeting regarding this matter was never conducted since the wish list was not completed.

On August 2, 2010, Ms. Tarbell responded via email stating that she will consult with the technical participants on the Trustee Council and get back to EPA with more specifics on this item.

On July 29, 2010, EPA also relayed to the NRD Trustee lead that the Reynold's Technical Team is working on their long term monitoring plan. Once finalized and approved, the Grasse River and GM site RPMs will review the plan to ensure that the post-remedial monitoring at our sites are "harmonized" as much as possible and as appropriate with the Reynold's site.

Action Item ID: 425

Status: Completed

Date: 7/21/2010

Divisions: ERRD-NJRB-CNJRS

Assigned To: Anne Kelly, Joel Singerman

Indian Nation: St. Regis Mohawk Tribe

Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will look into initiating the implementation of a comprehensive post-remedial long-term ecological monitoring plan for the Alcoa West (Grasse River), Alcoa East (Reynolds) and GM sites. Craig Arquette and Jessica Jock are the SRMT contacts. SRMT urges that work commence by 2011.

Status Update: July 14th update: ERRD received an email from Ken Jock of what it would like to see monitored as part of post-remedial monitoring program for all three sites. SRMT is interested in a grant to perform sampling and to analyze fish migration frequency.

ERRD is now reviewing this information, will convey to SRMT at the annual meeting that they are reviewing the information, and will follow-up with SRMT following the meeting.

Action Item ID: 426

Status: Completed

Date: 7/21/2010

Divisions: ERRD-NYRB, ORC

Assigned To: Young Chang, Sherrel Henry, Eric Schaaf

Indian Nation: St. Regis Mohawk Tribe

Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will follow up to provide SRMT with comments and set up a meeting re: remedial alternatives and legal/technical issues proposed by SRMT.

Status Update: After several consultation sessions via conference calls, SRMT, EPA, and its respective counsels met on September 16, 2010 at EPA Region 2 New York office. At the meeting remedial alternatives were discussed along with determination that the SRMT standards are deemed TBCs and not an ARAR for the Grasse River site. EPA did stress that the risk assessment for the site will take into account unique Mohawk exposure scenarios and levels.

Action Item ID: 427

Status: Completed

Date: 7/21/2010

Divisions: DEPP-WMB-NYWMS

Assigned To: Seth Ausubel

Indian Nation: St. Regis Mohawk Tribe

Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will promote effective consultation with SRMT Council and Environment staff in the Great Lakes Water Quality Amendment (GLWQA) process.

Status Update: EPA recently provided SRMT over \$2M in grants under the GLRI including \$150,000 specifically to enhance the SRMT's staff capacity to engage in Great Lakes Program activities. GLNPO is the lead for the GLWQA amendments, and we have expressed the interest of Region 2 Indian Nations in consultation on the GLWQA to GLNPO. We intend to continue to participate in discussions involving GLNPO and Indian Nations. We will continue to monitor progress under SRMT's grants and we welcome feedback from the SRMT on their perspectives on the GLWQA and other items.

Action Item ID: 428
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Janice Whitney

Indian Nation: St. Regis Mohawk Tribe
Meeting: Annual Indian Nation Leaders Meeting

Description: SRMT invites the RA to come visit.

Status Update: The Regional Administrator (RA) is aware of this request and Janice Whitney is working with the SRMT as well as Public Affairs Division and RA office to schedule this visit at a mutually convenient time for RA and SRMT.

Action Item ID: 429
Status: Completed
Date: 7/21/2010

Divisions: DECA-RCB
Assigned To: Rebecca Jamison

Indian Nation: Oneida Indian Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will provide feedback to OIN regarding the UST MOA.

Status Update: A revised MOA was sent to Oneida on 11/8/2010 with a request to have a negotiation call on 11/22/2010.

2011: Oneida cancelled the two calls scheduled by EPA –January 10, 2011 and March 14, 2011. The MOA is still not executed.

DEPP is assisting with next steps.

Comments: Action Item #297 was cancelled by GWJ on June 28, 2011 because it was identical to this action item.

Action Item ID: 430
Status: Pending
Date: 7/21/2010

Divisions: DEPP-CWRB
Assigned To: Andrea Coats

Indian Nation: Oneida Indian Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: OIN will submit the revised Nutrient Management Plan (NMP) and permit CAFO application to R2 by fall 2010.

Status Update: In September 2010, the OIN publicly announced that it will no longer operate its beef farm in Madison County. On 9/27/10, EPA staff (Andrea Coats) was asked to request that the OIN submit a letter to close the loop on the permitting issues. On 10/4/10, Andrea Coats and Janice Whitney had a call with the OIN and were to include this topic on the agenda.

- MJ (11/9/10)

Action Item ID: 431
Status: Completed
Date: 7/21/2010

Divisions: DEPP-RPB-NYS
Assigned To: Lorraine Graves

Indian Nation: Oneida Indian Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: OIN may be following up with R2 if the adjacent property owner does not clean up his property within the 90 day period set forth in DEC's July 15th enforcement letter.

Status Update: DEPP-RPB learned from NYSDEC that the property owner complied with the clean up order by the deadline, Oct 15, 2010.

Action Item ID: 432
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Janice Whitney

Indian Nation: Oneida Indian Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: OIN requests RA visit.

Status Update: The Regional Administrator (RA) is aware of this request and Janice Whitney is working with the Oneida Indian Nation as well as Public Affairs Division and RA office to schedule this visit at a mutually convenient time for RA and OIN.

Action Item ID: 433

Divisions: DEPP

Status: Completed

Assigned To: Grant Jonathan

Date: 7/21/2010

Indian Nation: Tuscarora Nation

Meeting: Annual Indian Nation Leaders Meeting

Description: Tuscarora likes July meeting dates rather than the autumn

Status Update: Region 2 has heard from several of the Indian Nations that July is a more preferred time to hold the annual meeting. In response, Region 2 is planning the 16th annual meeting for July 2011.

Action Item ID: 434

Divisions: DEPP

Status: Completed

Assigned To: Grant Jonathan

Date: 7/21/2010

Indian Nation: Tuscarora Nation

Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will work more closely with each Nation in the planning phase to discern how much time each Nation actually needs for the Face to Face segments.

Status Update: Discussions were held with all Indian Nation points of contact for planning the 16th annual Indian Nation leaders meeting for July 2011. Many issues have been discussed with the Nations such as the length of time for individual sessions, what would be perceived as adequate consultation for the annual meeting, and other related topics. Region 2 staff had a discussion with Neil Patterson, Jr about Tuscarora's concerns. A request for consideration was made by Tuscarora to increase the length for individual sessions from one hour to two, or to a minimum of an hour and a half. Region 2 staff responded that it probably could not occur this year, but suggested that the Nation's concerns be presented at the meeting and discussed with Region 2 senior management.

Action Item ID: 435

Divisions: DEPP, OPM-GCMB, ORC

Status: Completed

Assigned To: Grant Jonathan, Argie Cirillo

Date: 7/21/2010

Indian Nation: Cayuga Nation, HETF, Tuscarora Nation

Meeting: Annual Indian Nation Leaders Meeting

Description: R2-DEPP will review Great Lakes Restoration Initiative (GLRI) grant eligibility issue with respect to HETF and elevate issue nationally (AIEO, OGC & OGD) and will include other affected Regions (i.e. R10 Alaskan Villages)

Status Update: R2-DEPP and ORC has reviewed GLRI grant eligibility issue with respect to HETF and spoken to GLNPO, OGC & OGD. HETF Project Officer spoke to the Director of the HETF regarding the possibility of applying as a nonprofit organization provided HETF meets the criteria within 2 CFR Part 230. However, HETF decided not to apply for the GLRI grant this year because of other priorities for the Tuscarora Nation.

Action Item ID: 436

Divisions: DEPP, OPM-GCMB, ORC

Status: Pending

Assigned To: Grant Jonathan, Argie Cirillo

Date: 7/21/2010

Indian Nation: Cayuga Nation, HETF, Tuscarora Nation

Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to schedule conference call with Neil Patterson, Jr. and Dave Arquette regarding Jim Ransom letter and definition of the HETF and its membership.

Status Update: HETF Project Officer (PO) has had several conversations with the director of HETF and also the Director of the Tuscarora Environment Program about this matter. HETF PO suggested to be cautious when rationalizing membership matters or subjectively redefining the grant regulation requirements. It was communicated that redefining could be problematic or have potential to affect funding in the future.

More follow-up is required.

Action Item ID: 437
Status: Pending
Date: 7/21/2010

Divisions: DEPP-SPMMPB
Assigned To: Judy-Ann Mitchell, Carlos Ramos

Indian Nation: Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will investigate opportunities for green building enhancements and funding for Tuscarora EPA building currently under construction. Follow up on Item #416 from December FY10 list. John Fillipelli.

Comments: Reassigned to Carlos Ramos per conversation on 06/14/2011.

Action Item ID: 438
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Grant Jonathan

Indian Nation: Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Tuscarora invites Judith Eng to visit and tour the territory.

Status Update: Judith Enck is visiting the Tuscarora Nation on Monday July 18th before the annual meeting on July 19th thru 21st.

Action Item ID: 439
Status: Completed
Date: 7/21/2010

Divisions: DEPP-RPB, DEPP-RPB-NYS
Assigned To: Lorraine Graves

Indian Nation: Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will revisit the issue (DEPP, ORC, OPM-GCMB) TeePee Junkyard - calcium carbonate not eligible for solid waste in GAP grant. Tuscarora asks EPA to revisit decision within 2 weeks.

Status Update: Following the 2010 Leaders' Meeting, DEPP-RPB determined that removal of the calcium carbonate could be accomplished through use of GAP funds.

DEPP-RPB intends to place its Tribal Reserve funds for 2011 (\$14,000) in the existing GAP grant to apply to the clean up process but the full clean-up will cost \$35,000. In order to come up with the difference (\$21,000), RPB has advised the Tuscarora Nation of the recent solicitation for interagency solid waste assistance funding. The deadline for application is July 22, 2011. RPB sent the solicitation notice immediately upon its release followed by two phone conversations to encourage application and offer assistance as appropriate. The application, if made, will cover removal of calcium carbonate (remediation) as well as regrading/reseeding of the site (restoration).

Action Item ID: 440
Status: Completed
Date: 7/21/2010

Divisions: DECA-RCB
Assigned To: Rebecca Jamison

Indian Nation: Tonawanda Seneca Nation, Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: TN will provide R2 within two weeks language for the 9003 information request letter (IRL). R2 will provide a revised draft letter within two weeks. Tuscarora & Tonawanda will review the draft letter and if they concur, identify a mutually agreeable enforcement protocol.

Status Update: R2 received a proposed revised letter from Tuscarora on 10/27/2010. DECA prepared a strategy for issuing the letters.

EPA issued RCRA Information Request letters to all UST facilities on the Tuscarora Nation. In the 3rd quarter of FY11, the facilities now fall into three categories:

- 1) Responded—but have no USTs, only ASTs. [3 Facilities.]
- 2) Responded—but responses are incomplete & demonstrate that the operators attempted to meet regulatory requirements after receipt of EPA's letter. Full compliance status is therefore still undetermined. [5 Facilities, 2 different operators.]
- 3) Non-response. Four facilities have not responded at all, one facility responded with allegations of past EPA misconduct and

did not respond to the regulatory questions. [5 Facilities.]

Action Item ID: 441
Status: Completed
Date: 7/21/2010

Divisions: DECA-RCB-UST
Assigned To: Rebecca Jamison

Indian Nation: Tonawanda Seneca Nation, Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will continue to coordinate with HQ in the development of a national fuel delivery ban policy with OECA and OUST.

Status Update: EPA HQ OUST is working with OECA to establish procedures for implementing the Fuel Delivery Ban. R2 is providing input into the developing process.

Comments: 6-9-2011: The process for a Fuel Delivery ban will be in place shortly.

Action Item ID: 442
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Michael Shaw, Grant Jonathan

Indian Nation: Tonawanda Seneca Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to encourage NYSDEC to participate in the Tonawanda Creek Watershed Committee and its monthly meetings.

Status Update: The following was shared directly with Linda Logan and Mardell Sundown:

NYSDEC informed DEPP-WMB staff that they are available, by request, as a technical resource to the Tonawanda Creek Watershed Committee (TCWC) on matters under their lead oversight responsibility (e.g. permitted municipal and commercial wastewater dischargers) within the Tonawanda Creek watershed. If a State lead issue is raised needing NYSDEC attendance at the meeting, the TCWC chair, Elizabeth Bentley-Huber, Genesee County Soil and Water Conservation District will request a NYSDEC representative to attend the meeting. The NYSDEC contact person would be Don Zelazny, NYSDEC Region 9 @ (716) 851-7220.

Action Item ID: 443
Status: Pending
Date: 7/21/2010

Divisions: DEPP-RPB-NYS
Assigned To: Lorraine Graves

Indian Nation: Tonawanda Seneca Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to follow-up with TSN to determine costs associated with disposing and reusing materials from abandoned trailers.

Status Update: Consideration of these costs would be best offered upon completion of the Abandoned Mobile Home project. The deliverables are currently under final review at EPA HQ. We expect project completion by Sept. 30 2011.

Comments: July 2011: More follow-up to occur but not until completion of the project.

Action Item ID: 444
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Janice Whitney

Indian Nation: Tonawanda Seneca Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to advise GLNPO on following appropriate consultation with Indian Nations.

Status Update: Mardell Sundown made a specific comment on HQ's consultation calls, indicating frustration with GLNPO's conference call re: the Great Lakes Water Quality Agreement. Mardell mentioned only 7 of the 35 Nations around the Great Lakes were present on this phone call, asking how can R5 consider this meaningful consultation, and asking for a description of what meaningful consultation is? This resulted in a face-to-face meeting for the nations with GLNPO and Region 2 water program representatives on March 1-2, 2011 in Syracuse, NY.

In addition, Buffalo River Great Lakes Legacy Act Habitat Restoration Design EPA / GLNPO staff met with the Buffalo River Great Lakes Legacy Act Partnership Coordination Team Habitat Work group in Buffalo, NY on Oct. 26 and 27, 2010. The team consisted of representatives from Honeywell and Buffalo-Niagara Riverkeeper, the non-federal sponsors for the Great Lakes Legacy Act Project (GLLA), as well as New York State DEC, GLNPO and the U.S. Army Corps of Engineers. The team discussed specific objectives and goals for the six proposed habitat restoration projects that are part of the GLLA sediment remediation project. The group prioritized potential habitat restoration actions at each of these six sites. GLNPO's contractor will design the selected habitat restoration projects. The second day was spent in the field with GLNPO's contractor collecting data on existing riparian and aquatic vegetation, refining the qualitative work done as part of the feasibility study, confirming presence of invasive species and quantitatively measuring the presence of native vegetation. R2 water GL program says GLNPO is the lead and there are no nation lands affected.

Action Item ID: 445
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Janice Whitney

Indian Nation: Tonawanda Seneca Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 to advise OITA (AIEO) to provide consultation to Indian Nation officials regarding the draft Consultation Policy and to consult with them directly.

Status Update: AIEO Acting Director Sadie Hoskie attended Region 2 annual Indian Nation Leaders Meeting (INLM) in Niagara Falls July 2010 and offered a special session on consultation for the R2 nation reps. Ms. Hoskie also discussed the HQ draft policy on the following day when the leaders were present. HQ has also hosted conference calls for all nations across the country, and HETF submitted written comments to HQ which R2 is working to try and get HQ to be responsive (e.g. tribe/nation) to.

The newly appointed AIEO Director Joann Chase has also been advised of the nations view of consultation, and Joann has accepted our invitation to attend our Region 2 annual July 2011 INLM when she will hear first hand from the nations on this topic.

Action Item ID: 446
Status: Completed
Lauren Fischer
Date: 7/21/2010

Divisions: DEPP-SPMMPB-ERS, DEPP-WMB-NYWMS, ORC
Assigned To: Mario DeVicario, Seth Ausubel, Argie Cirillo,

Indian Nation: Onondaga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Region 2 will facilitate a short term remedy for the rogue Tully mudboil via the Onondaga Lake Partnership (OLP). Region 2 needs to identify a long-term remedy for the mudboils and will set up a meeting with Onondaga Nation (ON) (and others if ON advises) to focus on the options for the long-term remedy.

Status Update: Based in part on ON concerns, OLP has determined not to implement any "short term" remedy. Results from EPA's NEPA scoping will be used to inform further investigation and remediation work. EPA's remaining grant funds, and DEC EBP from Honeywell wastebed settlement are available for future work which also includes required well closures. EPA has worked with the ON to ensure their representatives are fully engaged in OLP's planning process for the future work and funds to provide a mechanism for effective continuing consultation.

Action Item ID: 447
Status: Completed
Date: 7/21/2010

Divisions: DEPP-DWMIB
Assigned To: Kathleen Malone, Rebecca Jamison

Indian Nation: Onondaga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Re: Hydrofracking- ON requests R2 assistance to protect the Nation's drinking water system and aquifer (leases for drilling are located adjacent to territory) and protect sacred and cultural sites.

Status Update: Public Meetings Held in Onondaga area on hydrofracturing in September 2010. Issue is ongoing

Action Item ID: 448
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Grant Jonathan

Indian Nation: Onondaga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Follow up with Bill Butler from US ACE (Buffalo, NY) to obtain the application for flood control dam.

Status Update: Grant Jonathan met in Buffalo, NY with all meeting participants to discuss Great Lakes Initiative grant that was awarded by the USEPA to the USACE for a study of the Onondaga Dam on the Onondaga Nation Territory. The Onondaga Nation expressed its frustration for how a Federal award could be awarded for a project on Onondaga Nation territory without seeking any input from the Nation, or having any communication with the Nation on the proposal until after the award was awarded. William Butler of the USACE acknowledged his hiccup and apologized for inadequate consultation and for not communicating with the ON. David Romano then reached out to the Nation and sought what the ON concerns were for the Dam and asked the Nation for its input on what the Nation would like to see the funds used for in the project. David also indicated that a nationally known USACE DAM Deconstruction expert would be available for visiting Onondaga to look at the Dam and expressed he could come to Onondaga in October.

EPA R5 GL Grants Manager told USACE that the \$100,000 could not be solely used for studies, and recommended to USACE to modify the scope and purpose of its proposal to reflect concerns of ON. USACE committed to modifying its proposal and agreed to share the revised proposal and workplan with the ON within 2 weeks. While the following list is not exhaustive, all concurred that the Nation would like to understand the following and to have these concerns addressed in the modified USACE proposal:

- 1 - ON expressed it had deconstruction and/or dechannelization concerns. The Nation feels the DAM is too large. So they would like to know if it could be deconstructed. If so, what would this require and how would it affect the Creek?
- 2 - ON has concerns for ecological matters involving fish & wildlife - What kind of Habitat Restoration measure can be developed?
- 3 - ON would like to the USACE to have Water Flow Monitoring of Onondaga Creek

Comments: Application for flood control dam was provided to Joe Heath and the visit occurred to ON by the USACE DAM deconstructionist.

Action Item ID: 449
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Grant Jonathan

Indian Nation: Cayuga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Cayuga supports adoption of new language, "treatment as a sovereign"

Status Update: Dan Hill, who is also the Region 2 Representative to the EPA National Tribal Operations Committee (NTOC), expresses his suggestions to the NTOC regularly for adopting new language in EPA's program regulations that define requirements for eligibility determinations.

Action Item ID: 450
Status: Completed
Date: 7/21/2010

Divisions: DECA
Assigned To: Kathleen Malone, Rebecca Jamison

Indian Nation: Cayuga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: Cayuga remains opposed to hydrofracturing

Status Update: Region 2 is aware that the Cayuga Nation are opposed to hydrofracking. We are also aware that the Haudenosaunee nations are opposed to this gas exploration process.

Action Item ID: 451
Status: Pending
Date: 8/9/2010

Divisions: DECA
Assigned To: Kathleen Malone, Rebecca Jamison

Indian Nation: Cayuga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will look into if Great Lakes water can be exported outside the watershed (hydrofracturing concerns).

Status Update: DECA has gathered information and is working with DEPP to schedule a meeting or call with Cayuga.

Action Item ID: 452
Status: Completed
Date: 7/21/2010

Divisions: DEPP-SPMMPB
Assigned To: Edward Linky, Judy-Ann Mitchell

Indian Nation: Cayuga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will advise Cayuga of where to find Regional climate change projections information from EPA and other agencies/sources.

Status Update: Email with information links were sent to Dan Hill on July 5, 2011.

Action Item ID: 453
Status: Completed
Date: 7/21/2010

Divisions: DECA-WCB
Assigned To: Rebecca Jamison

Indian Nation: Cayuga Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2-DECA will look into Perry, NY- Bergen Farms (3,000 head CAFO) incident with halted sewage lagoon construction infiltrating sacred Cayuga area. (In Cayuga Lake watershed). NYS consultation policy not being honored by state Department of Agriculture.

Status Update: The lagoon is no longer being built at Bergen Farms as the farm received a NOV and stop work order for violations of the construction SW permit. NYSDEC expects to officially resolve the NOV very soon as the farm as decided not to build the lagoon in that location and plant corn in that field instead.

Robyn Adair is involved at the executive level for DEC.

Action Item ID: 454
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Janice Whitney

Indian Nation: Cayuga Nation, HETF, Oneida Indian Nation, Onondaga Nation, St. Regis Mohawk Tribe, Seneca Nation of Indians, Tonawanda Seneca Nation, Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: EPA-Nation consultation process as model for other federal agencies- EPA write letter to other federal agencies on our process.

Status Update: Janice Whitney in her role as Region 2's Tribal Consultation Advisor (TCA) to HQ de-briefed Region 2 Senior Leadership Team in the Spring 2011 to advise of roles and responsibilities (including Regional Administrator's task to submit biannual reports which TCA will work with programs to design and prepare). Janice is working with HQ-led work group to work with other federal agencies and share our experiences, agreements, support regarding proper protocols, procedures to follow to ensure respectful, appropriate government-to-government consultation with Indian nations. Janice is also sub-workgroup lead of reps from Regions 1,2,10 and HQ OECA offices, working to propose a reporting format for the larger work group to consider to report consultation activities to HQ and coordinate with other federal agencies on our consultation processes, protocols, procedures and activities.

Action Item ID: 455
Status: Completed
Date: 7/21/2010

Divisions: DEPP
Assigned To: Grant Jonathan

Indian Nation: Cayuga Nation, HETF, Oneida Indian Nation, Onondaga Nation, St. Regis Mohawk Tribe, Seneca Nation of Indians, Tonawanda Seneca Nation, Tuscarora Nation
Meeting: Annual Indian Nation Leaders Meeting

Description: R2 will work with Nations to determine a specific list of Agencies we should invite to next year's Annual Meeting.

Status Update: DEPP-IPT staff has had planning calls for the next annual Indian Nation Leaders Meeting. We've discussed discussion topics, and the participation of staff from other agencies. Because of shortage of time and interest in particular topics, we have focused on subject areas that can be addressed by the Nations and EPA staff and not other agencies.

Action Item ID: 457
Status: Completed
Date: 12/13/2010

Divisions: DEPP-APB
Assigned To: Gavin Lau

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: R2 to follow-up with the HETF early next year with regard to the NO2 designation letters.

Status Update: NO2 fact sheet sent to Dave Arquette updating level of standard and timeline for when designations will be occurring. 6/9/11

Action Item ID: 458

Status: Completed

Date: 12/13/2010

Divisions: DEPP-APB

Assigned To: Gavin Lau

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: R2 to provide chart to HETF Indian Nations on efficiency of wood burning appliances (i.e., efficiency, ratings, safety measures, etc.)

Comments: Inquired with HQ about developing chart. No such chart currently exist at EPA. Wood burning outreach materials sent to Indian Nations.

Action Item ID: 459

Status: Completed

Date: 12/13/2010

Divisions: DEPP-APB

Assigned To: Gavin Lau

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: Wood Stove Exchange Program: R2 to provide examples of what other Indian tribes/Nations have done in other regions.

Status Update: Outreach materials were sent to Nations regarding woodstoves and woodburning the week of 2/28/11.

Action Item ID: 460

Status: Completed

Date: 12/13/2010

Divisions: DEPP-APB

Assigned To: Gavin Lau

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: R2 to share NYS burn barrel regulation with HETF.

Comments: NYS open burn regulations, fact sheets on regulations, and burn barrel outreach materials emailed to Dave Arquette at HETF on 3/9/11.

Action Item ID: 461

Status: Pending

Date: 12/13/2010

Divisions: DECA-CAPSB

Assigned To: Kathleen Malone, Rebecca Jamison

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: R2 to follow up with regard to water extraction from the Great Lakes (i.e., Lake Erie) (R2 to follow-up also with Mario Delvicario).

Status Update: DECA has gathered information and is working with DEPP to schedule a meeting or call with HETF.

Action Item ID: 462

Status: Pending

Date: 12/13/2010

Divisions: DECA-CAPSB

Assigned To: Kathleen Malone, Rebecca Jamison

Indian Nation: HETF

Meeting: Indian Nation Program Review Meeting

Description: R2 to follow-up with regard to "Finger Printing" and to share info with HETF.

Status Update: DECA continues to review and evaluate this request.	
Action Item ID: 463 Status: Completed Date: 12/13/2010	Divisions: DECA-CAPSB Assigned To: Kathleen Malone, Rebecca Jamison
Indian Nation: HETF Meeting: Indian Nation Program Review Meeting	
Description: R2 to invite HETF to nominate technical experts to participate in hydrofracking technical workshops.	
Status Update: An e-mail was sent out to the Nations by Janice Whitney to let them know about the technical workshops	
Action Item ID: 464 Status: Completed Date: 12/13/2010	Divisions: DECA-CAPSB Assigned To: Rebecca Jamison
Indian Nation: HETF Meeting: Indian Nation Program Review Meeting	
Description: R2 to determine the status of studies of the effects of carbon sequestration on drinking water; Rebecca Jamison to follow-up with DECA UIC Program.	
Status Update: Completed- UIC program responded via email to HETF in July-August 2010.	
Action Item ID: 465 Status: Completed Date: 12/13/2010	Divisions: DECA-CAPSB Assigned To: Kathleen Malone, Rebecca Jamison
Indian Nation: HETF Meeting: Indian Nation Program Review Meeting	
Description: R2 to provide the names of three landfills within NYS that receive HF drill cuttings from the Marcellus Shale.	
Status Update: The three landfills are: Chemung County Landfill in Lowman, NY; Hakes Construction and Demolition Landfill in Painted Post, NY; and Hyland Landfill in Angelica, NY. Information collected and to be distributed to HETF soon.	
Action Item ID: 466 Status: Completed Date: 12/14/2010	Divisions: DEPP-RPB Assigned To: Lorraine Graves
Indian Nation: HETF Meeting: Indian Nation Program Review Meeting	
Description: R2 to get Dan Hill (Cayuga Nation) on NYSDEC mailing list for Seneca Meadows.	
Status Update: Dan Hill has been added to the mailing list.	
Action Item ID: 467 Status: Completed Date: 12/14/2010	Divisions: DEPP-RPB Assigned To: Lorraine Graves
Indian Nation: HETF Meeting: Indian Nation Program Review Meeting	
Description: R2 to determine who in the Cayuga Nation may have signed off on the archaeological survey done by Seneca Meadows.	
Status Update: Enquiries with the NYS SHPO has revealed that there were nine archeological survey reports that have been prepared in the course of the Seneca Meadows application for expansion. We need to request those reports and work with the Corps of Engineers to determine who commented. The reports have been ordered from the SHPO.	
Comments: Following a review of the admin record at the Corps of Engineers, the lead agency, I heard that the Cayuga Nation is on the list of affected parties, but they did not respond to a Public Notice (PN) in 2006 requesting comments on this survey. The SNI responded to the same PN and gave the survey a determination of "no effect". I was able to get a copy of the survey electronically and sent it to Dan Hill about 6 months ago. So while still unclear, there is no record of any sign off by the Cayuga Nation.	

There may have been additional archeological surveys, and the project manager, Maggie Crawford says anyone is welcome to peruse the files. However, all files are now on microfiche so the request will need to be made through the FOIA process.

Action Item ID: 468
Status: Completed
Date: 12/13/2010

Divisions: DEPP-RPB
Assigned To: Lorraine Graves

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: R2 to find report on the arrangement of heating town of Waterloo with methane from Seneca Meadows and will share with the Nation.

Status Update: Inquiries made; still under investigation

Comments: RPB learned that the Seneca County Industrial Development Authority offered bonds to support the development and operation of a Renewable Resources Park located in the Town of Waterloo, adjacent to the SML. Part of the promotion to attract prospective businesses to the site involves the SML providing heat and electricity from landfill gas. The tenant businesses would directly benefit from the provision of the utilities; the Town of Waterloo would benefit only indirectly from this limited resource distribution. The Executive Director for the Seneca County Industrial Development Authority is Robert J. Aronson; he may be reached at 315-539-1722.

Action Item ID: 469
Status: Completed
Date: 12/13/2010

Divisions: DEPP-RPB
Assigned To: Lorraine Graves

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: R2 to get archaeological survey for Seneca Meadows and will share with Cayuga Nation (Dan Hill).

Status Update: RPB has obtained a copy of the survey and has sent it to Dan Hill.

Action Item ID: 470
Status: Completed
Date: 12/14/2010

Divisions: DEPP-WMB-NYWMS
Assigned To: Mario DeVicario, Seth Ausubel

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: R2 to follow-up with R5 Great Lakes Office to determine the process used by their office for communicating with Indian applicants on Great Lakes funding proposals/applications, and to report back to HETF.

Status Update: GLNPO is the lead for the competition. HETF may contact the selection panel leader Jacqueline Fisher at 312-353-1481.

Action Item ID: 471
Status: Completed
Date: 12/14/2010

Divisions: DEPP-IPT, ORC-NYCSB-NYCSSL
Assigned To: Grant Jonathan, Argie Cirillo

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: R2 to discuss funding application criteria for the Great Lake Restoration Initiative Grant with HETF for FY11.

Status Update: See update in Action Item # 436

Action Item ID: 472
Status: Completed
Date: 12/14/2010

Divisions: DEPP-RIAB
Assigned To: Paul Giardina

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: R2 to encourage USACE to actively seek more input and participation of the Tuscarora Nation in the new stakeholder group for the Lake Ontario Ordnance Works (LOOW).

Status Update: Paul Giardina reached out to Arleen Kreusch of the USACE to remind them that the Tuscarora Nation wants to be included on all information and meeting notices the USACE has on the Lake Ontario Ordnance Works (LOOW) and the Niagara Falls Storage Site (NFSS). DEPP-RIAB also encouraged USACE to have the new facilitator for the NFSS group reach out to the Tuscarora Nation leadership. Joe Gardella was cc'd on this correspondence to USACE because of his leadership role with the involved community.

Action Item ID: 473
ORC-NYCSB-NYCSS
Status: Completed
Musumeci, Argie Cirillo
Date: 12/14/2010

Divisions: DEPP-SPMMPB-ERS, DEPP-WMB-NYWMS,

Assigned To: Mario DelVicario, Seth Ausubel, Grace

Indian Nation: HETF, Onondaga Nation
Meeting: Indian Nation Program Review Meeting

Description: R2 to continue discussions with the Onondaga Nation on the mudboil well closure process and a conference call with the HETF as a group.

Status Update: See update for Action Item #446.

Action Item ID: 474
Status: Completed
Date: 12/14/2010

Divisions: DEPP-IPT
Assigned To: Grant Jonathan

Indian Nation: HETF
Meeting: Indian Nation Program Review Meeting

Description: HETF to identify a budget associated with conducting cultural sensitivity training for R2; R2 to investigate the availability of resources.

Status Update: HETF submitted a budget proposal to Region 2 for its proposed cultural sensitivity training at 290 Broadway. HETF is requesting \$10,500 to cover the cost of travel expenses and speaker fees for five people. Region 2 has reviewed it and looking into the availability of funding resources for the training.

EPM funds are available to cover part of the cost of their request. American Indian/Alaskan Native Special Emphasis Program funds may also be available to cover part of this. Other options may also be available: RA discretionary funds, etc. Based upon what funding is currently available, the HETF proposal is still short about \$3,000.

More follow-up to continue.

Comments: July 2011 - HETF to raise this issue at the annual meeting: request funding to make this training happen.

Action Item ID: 475
Status: Completed
Timander
Date: 12/7/2010

Divisions: OPM-ISB-EST
Assigned To: Robert Simpson, George Nossa, Linda

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation PPA/PPG Joint Evaluation Meeting

Description: R2 will review and process SRMT FY2011 NEIN grant (submitted electronically)

Status Update: Final

Comments: This action item was not captured correctly. Robert Simpson, as the Regional Exchange Network Coordinator (RENC), is a member of the Exchange Network Grant Review Panel. Panel members do not review application from within their region and are not supposed to read such application until after the panel has made funding recommendations. The charging memo to panel members states in part "You will be reviewing a set of applications randomly selected from eight regions to eliminate possible scoring bias. As in past years, no regional reviewer will evaluate applications from his/her own region to avoid a conflict of interest." As the RENC, I did seek confirmation from HQs that the SRMT 2011 Exchange Network grant application was received and submitted past performance information on the applicant (SRMT) in preparation for the Review panel's deliberations as is customary.

Action Item ID: 476
Status: Completed

Divisions: OPM-ISB-EST
Assigned To: Robert Simpson, George Nossa, Linda

Timander

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT is inputting AQS (air quality system) data, which will be QAQCed (Angela B) then will be uploaded (Jonathan Herne) to the Exchange Network

Comments: The SRMT - Environment Division currently submits data to AQS quarterly via the CDX Web pathway. EPA's OAQPS has committed to replacing this data submittal pathway with the CDX Node pathway (Exchange Network) by 2012. The SRMT have a 2009 grant commitment to move to the Exchange Network for their AQS data submittals. Angela Benedict currently performs the required QAQC on the data before it is run through XML mapping and translation software developed in house by the SRMT System Administrator. This software will make for an easier transition to the Exchange Network for the SRMT. The data is currently loaded via the secure browser based CDX Web application for AQS. These data entry steps were previously performed by the data entry clerk Jonathan Hern who recently left the Environment Division. The SRMT are actively seeking his replacement.

Action Item ID: 477

Status: Completed

Timander

Date: 12/7/2010

Divisions: OPM-ISB-EST

Assigned To: Robert Simpson, George Nossa, Linda

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will participate in web client beta testing node (first quarter 2011) for Exchange Network

Status Update: Complete

Comments: I provided the following information to Tom Lake, SMRT -Environment Div. System Administrator, via email on 03/09/2011 that address this action item:

In my last update to Tom Lake at SRMT, on EPA's efforts to develop a single sign-on AQS Web Client Node (12/08/2010 email) I relayed that the Air Quality System (AQS) team did not expect to have this solution in production until July - August of 2011. According to the latest news from the AQS team, this release date may be in jeopardy if Congress continues to fund the government for only a few weeks at a time (Continuing Resolution issue). Funding uncertainty will affect the timeline for the required back end re-design work on AQS. The project's front end work (AQS web client Node) is largely completed.

The single sign-on capability eliminates the burdensome AQS data flow requirement for a separate authentication to AQS while submitting data through a node or node client. In my 12/08/2010 update I also let Tom know that the AQS team would release an interim AQS Web Client Node (no single sign-on) in March, 2011. It now appears that instead, a generic Web Client Node for interactive submittals to EPA systems will be integrated into the new Exchange Network Services Center web application. The Exchange Network Services Center will be debuted at the Exchange Network National Meeting in Denver, 04/26-28/2011. It is hoped that at that time, the AQS team will be able to provide a clearer picture on when the AQS single sign-on solution will be in production and available through the Exchange Network Services Center.

I suggested that the SRMT might first want to proceed with their 2009 Exchange Network grant commitment for an AQS data flow (budget end date of 07/31/2011) and their Exchange Network plans in general by attending the upcoming Exchange Network National meeting (cost reimbursement info is attached). I will be attending. At the meeting we can get the latest info on the single sign-on release date projections. We can talk with the AQS team about the best way for SRMT to proceed with their AQS submittals as well as the need for browser based tools to support wider tribal access to their ambient air quality data. With this knowledge I suggested that Tom could then request a No Cost Time Extension on the grant for the duration required to implement the AQS data flow via the fully functional Exchange Network Services Center. As project officer on this grant and in light of EPA's delays in delivering important data flow components I am confident that SRMT will have no difficulty getting a No Cost Time Extension

Action Item ID: 478

Status: Completed

Timander

Date: 12/7/2010

Divisions: OPM-ISB-EST

Assigned To: Robert Simpson, George Nossa, Linda

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will get SRMT the change control latest changes

Status Update: Completed

Comments: Change Control spreadsheet along with clarification on changes to the AQS data exchange template (AQS Schema 2.2) was provided via email to Tom Lake, SRMT System Administrator on 12/07/2010 (attached).

Action Item ID: 479

Divisions: OPM-ISB-EST

Status: Completed

Assigned To: Robert Simpson, George Nossa

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will make sure to have the xml step clearly understood

Status Update: Complete

Comments: Action item is better understood as being part of Action Item ID 478: "R2 will get SRMT the change control latest changes". The SRMT Environment Division System Administrator, Tom Lake, has a competent understanding of XML technology and how the AQS XML schema maps to the SRMT ambient air quality data elements. What was being sought by SRMT at the time Action Item ID 479 was generated was a better understanding of changes recently made to the AQS XML Submission Schema v 2.2. I provided Tom Lake with the Change Control Statement (06/29/2010) from the AQS program that outlined these changes along with the AQS_ChangeControl_v2.2.xls spreadsheet. In brief the changes made were:

1. The Element CityCode has been made optional.
2. The element UrbanAreaCode has been made optional.
3. The type VersionType has been changed to an enumeration to avoid problems with the CDX parser.

Action Item ID: 480

Divisions: DEPP-SPMMPB-SPT

Status: Cancelled

Assigned To: Alyssa Arcaya, Judy-Ann Mitchell

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will suggest ways to use funds- things to concentrate on, scale back on others, etc.

Action Item ID: 481

Divisions: DEPP-SPMMPB-SPT

Status: Completed

Assigned To: Judy-Ann Mitchell, Alyssa Arcaya

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will submit application and workplans for 106 asap (heads up to R2 that SRMT may opt to waive 401 certification for some programs- e.g. Pesticides)

Action Item ID: 482

Divisions: DEPP-WMB-NYWMS

Status: Completed

Assigned To: Seth Ausubel

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will submit 305(b) assessment reports by April 1st (to dovetail with DEC's 303(d) list cycle- next draft 303(d) list will be issued by DEC in January 2012; proposed final expected April 2012)

Status Update: This is a routine programmatic function and included in the PPG

Action Item ID: 483

Divisions: DEPP-WMB-NYWMS

Status: Completed

Assigned To: Richard Balla

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will re-submit QA for pathogens, bacteria and enter data into STORET (have base monitoring as well as rain event data to input)

Status Update: Kai Tang of DESA-MAB prepared EPA's concurrence on the revised QAPP on 6/15/11

Action Item ID: 484
Status: Cancelled
Date: 12/7/2010

Divisions: DEPP-WMB-NYWMS
Assigned To: Seth Ausubel, Richard Balla

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 will review the workplan (sent to R2 12/7)- revised to focus on source tracking, nutrient tracking, NPS assessment report- need updating? Or is in even still applicable?

Action Item ID: 485
Status: Completed
Date: 12/7/2010

Divisions: DEPP-WMB-NYWMS
Assigned To: Seth Ausubel, Richard Balla

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will check in with Ken and advise R2 whether SRMT wants to use about \$42,000 in discretionary funding available for shoreline work if SRMT wants to proceed in FY2011

Status Update: The SRMT submitted a conditionally approvable workplan for these funds. The Watershed Management Branch has recommended these funds be awarded in the PPG amendment being prepared in June 2011.

Action Item ID: 486
Status: Cancelled
Date: 12/7/2010

Divisions: DEPP-WMB-NYWMS
Assigned To: Seth Ausubel, Barbara Belasco

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will do on-the-ground assessments before submitting workplans- R2 will be some incremental FY2011 funds available so SRMT can begin to think about its planning uses and submit as soon as know- don't wait (e.g. non-point source control projects that might come out of source tracking; macro-invertebrate work to dovetail with DEC's macro-invertebrate work; AOC work has put de-listing proposal together for plankton-public meeting held June 2010) but R2 needs more data so if SRMT has any interest in a plankton assessment within and outside of the AOC).

Action Item ID: 487
Status: Cancelled
Date: 12/7/2010

Divisions: DEPP-WMB-NYWMS
Assigned To: Seth Ausubel, Barbara Belasco

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT asks about sturgeon QAPP requirements (which will come in year 2- in 2012), and SRMT will attach a draft QAPP to submit as part of grant compliance condition. R2 indicates QAPP for entire project not needed- but secondary data (from workshops and experts) QAPP on how they plan to use this secondary data is required prior to actual workshops/expert discussions. A second QAPP will be required before sampling phase of the project begins.

Action Item ID: 488
Status: Completed
Date: 12/7/2010

Divisions: DEPP-APB-SS
Assigned To: Gavin Lau, Richard Ruvo

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will get R2 the list of burn permits (30-40?) issued for FY2010

Comments: SRMT issued 38 burn permits in 2010.

Action Item ID: 489
Status: Completed
Date: 12/7/2010

Divisions: DEPP-APB-SS
Assigned To: Gavin Lau, Richard Ruvo

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 will review and comment on the Preliminary emissions inventory report provided 12/7

Action Item ID: 490
Status: Completed
Date: 12/7/2010

Divisions: DEPP-APB-SS
Assigned To: Gavin Lau, Richard Ruvo

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will submit its final emissions inventory (will try to submit by 12/31/2010)

Status Update: SRMT submitted a draft emissions inventory. EPA provided comments to SRMT on 2/25/11. 6/9/11-EPA and SRMT have exchanged drafts and comments. SRMT working on final document.

Action Item ID: 491
Status: Completed
Date: 12/7/2010

Divisions: DEPP-IPT, OPM-GCMB-EAT
Assigned To: Cynthia Pabon, Janice Whitney

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will provide proof that Indirect Cost Agreement with cover letter was sent to DOI to R2 (FY2010 is 18.46%; FY2011 is slightly higher- 19.7%)

Action Item ID: 492
Status: Completed
Date: 12/7/2010

Divisions: DEPP-IPT, OPM-GCMB-EAT
Assigned To: Cynthia Pabon, Janice Whitney

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 PO will work with Finance to respond to SRMT's match waiver request.

Status Update: PO worked with Grants and Finance to address SRMT's request for a waiver of assorted program matches under PPG FY2011-2015. After Finance advised they approve the waiver request, PO drafted a memo, concurrence recommendation document and letter advising SRMT of R2's approval of their match waiver request for RA signature. The RA approved the request and SRMT has been officially notified. Grants is preparing the final action in IGMS.

Action Item ID: 493
Status: Cancelled
Date: 12/7/2010

Divisions: DEPP-IPT, OPM-GCMB-EAT
Assigned To: Cynthia Pabon, Janice Whitney

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will re-submit the Central Contractor Requirement (CCR) which expires 3/25/2011

Action Item ID: 494
Status: Completed
Date: 12/7/2010

Divisions: DEPP-IPT, OPM-GCMB-EAT
Assigned To: Michele Junker, Janice Whitney

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: The Office of Small Business Programs has not received the final extension notice for the tribal negotiation deadline, once the extension is approved the DBE Coordinator will send out letters to the Tribes initiating Fair Share negotiations.

Status Update: Michelle Junker emailed the information to SRMT in May 2011 and also in June 2011. A letter from Region 2 will also be mailed to each of the Indian Nations located in Region 2.

Action Item ID: 495
Status: Cancelled

Divisions: DEPP-IPT, OPM-GCMB-EAT
Assigned To: Michele Junker, Janice Whitney

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will then advise R2 of who the MBE/DBE contacts will be based on new reg requirements

Status Update: MJ discussed this at the Dec 2010 meeting with SRMT, and will request this info in her letter based on new reg requirements.

Action Item ID: 496
Status: Completed
Date: 12/7/2010

Divisions: DEPP-WMB-WPT
Assigned To: Kathleen Drake

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 to issue RFP for FY2011 wetlands grant- will be coming out shortly

Status Update:

The SRMT was notified on Feb 1, 2011 that the newest wetlands grant RFP was posted

<http://www.epa.gov/region02/water/wetlands/grants.htm>

Action Item ID: 497
Status: Cancelled
Date: 12/7/2010

Divisions: DEPP-WMB-WPT
Assigned To: Kathleen Drake

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will be applying for FY2011 funds

Action Item ID: 498
Status: Pending
Date: 12/7/2010

Divisions: DEPP-WMB-WPT
Assigned To: Kathleen Drake

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will be sending the FY2010 final report within the next couple of weeks (related to the first season - summer of 2010)- will leave blanks for work remaining for summer 2011 pursuant to NCTE granted through FY2011

Action Item ID: 499
Status: Pending
Date: 12/7/2010

Divisions: ERRD-RPB-PS
Assigned To: Larry DAndrea

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will send training CD to R2 and Larry will review and comment on the training CD when he receives it.

Status Update: LARRY never received the training CD from Jessica. He tried to contact her on 7/08 but she no longer works in that dept and the position remains unfilled. He will speak to the supervisor in that office.

Action Item ID: 500
Status: Completed
Date: 12/7/2010

Divisions: ERRD-RPB-PS
Assigned To: Larry DAndrea

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 staff will look into joining SRMT for May (last two weeks) AST inspections- (Larry will be joining SRMT for its scheduled inspections in May. Larry will coordinate with Jessica on the exact dates - Chris Jimenez may join, depending on his schedule).

Status Update: Due to scheduling conflicts we were unable to go to Messina in May and have postponed the trip to Messina until later in the Summer. A new date has not yet been set.

Action Item ID: 501

Status: Completed

Date: 12/7/2010

Divisions: ERRD-RPB-PS

Assigned To: Larry DAndrea

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will send a copy of AST reg revisions and is available for training during May visit (if occurs). Larry will e-mail Jessica information on the SPCC revisions and he is preparing a Power Point presentation to bring with him for training/workshop. Larry will also work with Jessica on setting up a date for when and where the training will take place.

Status Update: Information on SPCC revisions was sent to Jessica.

Action Item ID: 502

Status: Pending

Date: 7/8/2011

Divisions: DEPP-SPMMPB-PPT

Assigned To: Joseph Bergstein, Judy-Ann Mitchell

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will provide SRMT with links to P2 and source reduction webpages for info (especially interested in electronics disposal)

Status Update: Coordinating a conference call with EPA staff and SRMT.

Action Item ID: 503

Status: Completed

Date: 7/8/2011

Divisions: DEPP-SPMMPB-PPT

Assigned To: Lorne LaMonica, Judy-Ann Mitchell

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 is invited to come visit and meet with water staff to discuss "Water Sense" to reduce energy consumption and enhance efficiency and Housing Authority to discuss Energy Star and Hospitality

Status Update: There are no travel funds to make such a trip in FY 2011. We can revisit this in FY 2012, pending the travel budget. In the interim, DEPP-SPMMPB is coordinating a conference call with EPA staff and SRMT.

Action Item ID: 504

Status: Cancelled

Date: 12/7/2010

Divisions: DEPP-SPMMPB-PPT, DEPP-SPMMPB-SPT

Assigned To: Joseph Bergstein, Judy-Ann Mitchell

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will advise Rachel C. about the Styrofoam initiative

Action Item ID: 505

Status: Completed

Date: 12/7/2010

Divisions: DEPP-SPMMPB-PPT

Assigned To: Joseph Bergstein, Judy-Ann Mitchell

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will advise R2 whether they would like to take up R2's offer to conduct a webinar on Portfolio Management for energy usage (space management- commercial; schools, etc)

Status Update: No response from SRMT.

Action Item ID: 506

Status: Completed

Date: 12/7/2010

Divisions: DEPP-SPMMPB-PPT

Assigned To: Edward Linky

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will work to approve SRMT's submitted application (R2 PO will add agreed upon language "on-going, northeastern" with regard to climate science experts and communicators" in fourth paragraph of workplan narrative) and include it in the Funding Recommendation for PPG

Status Update: SRMT Workplan approved, awaiting input from SRMT on implementation activities

Action Item ID: 507

Divisions: DEPP-IPT, DEPP-SPMMPB-PPT

Status: Completed

Assigned To: Edward Linky, Janice Whitney

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 and SRMT will work together to facilitate discussions with the experts and communicators

Status Update: Team reviewed SRMT application and workplan for climate change funding. Once finalized and approved, JW entered this funding into SRMT's PPG for FY2011-2015. Awaiting input from SRMT PO (Angela Benedict-Dunn) as to implementation of grant activities.

Action Item ID: 508

Divisions: DECA-PTSB-PT

Status: Completed

Assigned To: Aarti Reddy

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT (Les Benedict) will participate in the Tribal Program Pesticides Council (TPPC) January meeting before deciding if/who will be designated as the official R2 tribal TPPC contact, and who will be designated as the alternate contact.

Status Update: As per Les Benedict (SRMT) this will be decided after the March TPCC. As per Les Benedict, the way this is handled is that a tribal representative first attends, than an invitation to participate is sent, the tribe responds by designating someone.

Action Item ID: 509

Divisions: DECA-PTSB-PT

Status: Completed

Assigned To: Aarti Reddy

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will advise R2 of the pesticides contact.

Comments: As per Les Benedict (SMRT) for now he is the point of contact for pesticides and Jessica Cree-Jock is the alternate poc.

Action Item ID: 510

Divisions: DECA-PTSB-PT

Status: Completed

Assigned To: Aarti Reddy

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will query other EPA regions to see if there is a sample pesticide survey and QAPP that we can share with SRMT.

Status Update: Region 2 queried all the other regions during the monthly Regional HQ Tribal Pesticide Conference Call. Information/examples regarding Pesticide Use Assessment were obtained from Region 10 and Region 7 and QAPP information was obtained from Region 2 Monitoring and Assessment Branch. This information was forwarded to Les Benedict of the SMRT on January 11, 2011.

Action Item ID: 511

Divisions: DEPP-RPB-NYS

Status: Completed

Assigned To: Rachel Chaput, Lorraine Graves

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will incorporate changes provided by R2 and submit the workplan soon (discontinuity grant)

Status Update: Changes were made and the workplan was resubmitted.

Action Item ID: 512
Status: Completed
Date: 12/7/2010

Divisions: DEPP-RPB-NYS
Assigned To: Rachel Chaput, Lorraine Graves

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT has Frogtown site contractor working on the workplan for waste site remediation (will consolidate materials on-site and cover based on site review w/out significant concerns)

Status Update: The Feasibility Study for Remediation of the Frogtown site has been completed. DEPP-RPB commented as appropriate. At this stage, the SRMT is actively searching for funds to implement the plan. DEPP-RPB will also continue to search for funding to help complete the clean up of this site.

Action Item ID: 513
Status: Completed
Date: 12/7/2010

Divisions: DEPP-RPB-NYS
Assigned To: Lorraine Graves, Rachel Chaput

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: SRMT will provide an estimate of # of tons of solid waste diverted from the landfill in FY2010

Status Update: Information was provided to DEPP-RPB.

Action Item ID: 514
Status: Completed
Date: 12/7/2010

Divisions: DEPP-RPB-NYS
Assigned To: Rachel Chaput, Lorraine Graves

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 program will work with SRMT to respond to SRMT's request for an extension of time into FY2011 to complete the Frogtown remediation before the expiration of EOY grant cycle

Status Update: December 22, 2010 Laura weber submitted paperwork for a NCTE and a revised work plan. DEPP-RPB approved the work plan on 2/7/11. On 2/7/11, Laura Weber also withdrew her request for the NCTE and the work plan changes. OPM-GCMB and Laura Weber deemed them not necessary.

Action Item ID: 515
Status: Completed
Date: 12/7/2010

Divisions: DEPP-RPB-NYS
Assigned To: Lorraine Graves, Rachel Chaput

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 will provide literature citations on aerated static pile composting and look into Agstar operation in upstate NY to see if they are willing to share data

Status Update: PPB was asked to help find information on the aerated static pile composting method. In early 2011, Garrett Smith introduced Les Benedict to the inventor of this process, Eliot Epstein to provide a direct means of communication and data collection.

Action Item ID: 516
Status: Completed
Date: 12/7/2010

Divisions: DEPP-RPB-NYS
Assigned To: Rachel Chaput, Lorraine Graves

Indian Nation: St. Regis Mohawk Tribe
Meeting: Indian Nation Program Review Meeting

Description: R2 will look into making a trip to SRMT in the Spring/Summer

Status Update: DEPP-RPB needs to further address w SRMT with respect to solid waste program developments before a trip can be scheduled. L. Graves will be in attendance at the annual Indian Nation Leaders Meeting in July 2011 and will follow-up with SRMT environmental staff.

Action Item ID: 517

Status: Completed

Date: 12/7/2010

Divisions: DEPP-DWMIB-DWGWPS

Assigned To: Gerard McKenna

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will send us copy of the hydraulic modeling report that their consultant developed. This was the last work item in the PPG.

Status Update: Complete. SRMT sent us the hydraulic modeling report. Work under the PPG is complete.

Action Item ID: 518

Status: Completed

Date: 12/7/2010

Divisions: DEPP-DWMIB-DWGWPS

Assigned To: Gerard McKenna

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will continue to receive PWSS funding through their DITCA.

Status Update: Complete. We are no longer providing PWSS Program funds to SRMT through the PPG. Annual PWSS Program funds are being provided to the SRMT through their DITCA.

Action Item ID: 519

Status: Pending

Janice Whitney

Date: 2/7/2011

Divisions: DEPP-IPT, DEPP-RPB-NYS

Assigned To: Dale Carpenter, Lorraine Graves, Garrett Smith,

Indian Nation: Oneida Indian Nation

Meeting: Indian Nation Program Review Meeting

Description: Sustainability Program

Status Update: OIN expressing an interest in designing and implementing a Sustainability Program for its facilities, such as its casino (which employs 5,000 employees), golf course, 12 restaurants, 15 convenience stores, marina, other facilities, etc., managed by the nation. OIN expressed an interest in beginning this longer-term goal by managing its solid waste (paper, plastics, glass, metals). RIC scheduled a conference call for OIN which was to be followed by a face-to-face meeting for RCRA solid waste team to meet with OIN sustainability team at Oneida, March 3rd, 2011. OIN contacted RIC to advise the meeting would have to be postponed and RIC is awaiting a revised date from OIN to schedule the meeting.

Comments: As of June 29, 2011, we are awaiting notice to reschedule this meeting.

Action Item ID: 520

Status: Completed

Date: 12/7/2010

Divisions: DESA-MAB-MOS

Assigned To: Darvene Adams

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will re-send the WMS comments to SRMT

Action Item ID: 521

Status: Completed

Date: 12/7/2010

Divisions: DESA-MAB-AWQAT

Assigned To: Kai Tang

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: SRMT will re-submit WQ QAPP- keep status quo in the near term--revisions longer term

Status Update: SRMT's QAPP has been finalized. The QAPP is <u>undergoing</u> SRMT sign-offs	
Action Item ID: 522 Status: Completed Date: 12/7/2010	Divisions: DESA-MAB-MOS Assigned To: Darvene Adams
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: SRMT needs funds for macroinvertebrate study- will advise DESA of amount needed to complete	
Action Item ID: 523 Status: Completed Date: 12/7/2010	Divisions: DEPP-CWRB-TMDLST Assigned To: Wayne Jackson
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: R2 will keep SRMT informed of listening sessions for WQS revisions underway in HQ	
Status Update: DEPP-CWRB-TMDLST staff spoke directly to Tony David. An update was provided to him which provided where EPA currently is with the revisions, etc.	
Action Item ID: 524 Status: Completed Date: 12/7/2010	Divisions: DESA-MAB, DESA-MAB-MOS Assigned To: Darvene Adams, John Kushwara
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: R2 will arrange a conference call in January 2011, with Tony David, John Kushwara and a monitoring design statistician from ORD to talk about possible design changes to SRMT's water quality monitoring program based on needs that they have identified.	
Action Item ID: 525 Status: Cancelled Date: 12/7/2010	Divisions: ERRD-PSB-BFS Assigned To: Philip Clappin
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: SRMT is compiling the data to make available to the public via: 1) website with a map of Akwesasne with photos for particular buildings, sites, areas and 2) kiosk computer set up in lobby of the Tribal Administration Building for community access	
Action Item ID: 526 Status: Cancelled Date: 12/7/2010	Divisions: ERRD-PSB-BFS Assigned To: Schenine Mitchell
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: SRMT has the ability to meet the requirements to work with its resource center, economic development and (un)employment staff and industry to move forward with a job training grant (FY2011 draft guidelines are available on the internet)	
Action Item ID: 527 Status: Cancelled Date: 12/7/2010	Divisions: ERRD-PSB-BFS Assigned To: Philip Clappin
Indian Nation: St. Regis Mohawk Tribe Meeting: Indian Nation Program Review Meeting	
Description: SRMT may design an advisory group: health, environment, planning, economics, the community- to help weigh all the criteria to come up with a prioritization system	
Action Item ID: 528 Status: Pending	Divisions: ERRD-PSB-BFS Assigned To: Philip Clappin

Date: 12/7/2010

Indian Nation: St. Regis Mohawk Tribe

Meeting: Indian Nation Program Review Meeting

Description: R2 will see if there any template submissions it can share with SRMT